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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 5, 2001

APPLICATION OF

TELERA COMMUNICATIONS OF
VIRGINIA, INC.

CASE NO. PUC000252

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services

FINAL ORDER

On September 15, 2000, Telera Communications of Virginia, Inc. ("Telera" or "Applicant"), filed an application for certificates of public convenience and necessity ("certificates") with the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

By Order dated October 18, 2000, the Commission directed the Applicant to provide notice to the public of its application, directed the Commission Staff to conduct an investigation and file a Staff Report, and scheduled a public hearing to receive evidence relevant to Telera's application.

On January 18, 2001, the Staff filed its report finding that Telera's application was in compliance with 20 VAC 5-400-180, the Rules Governing the Offering of Competitive Local Exchange Telephone Service ("Local Rules"), and 20 VAC 5-400-60, the Rules Governing the Certification of Interexchange Carriers ("IXC Rules"). Based upon its review of Telera's application and unaudited financial statements, the Staff determined it would be appropriate to grant both local exchange and interexchange certificates to the Applicant subject to two conditions: (1) any customer deposits collected by Telera be retained in an unaffiliated third-party escrow account until such time as the Staff or Commission determines it is no longer necessary; and (2) Telera shall provide audited financial statements of its ultimate parent, Telera, Inc., to the Division of Economics and Finance no later than one (1) year from the effective date of Telera's initial tariff.

On December 12, 2000, Telera filed proof of notice to the public and service on all local exchange and interexchange carriers certificated in Virginia, as required by the October 18, 2000, Order for Notice and Hearing.

A hearing was conducted on January 31, 2001. At the hearing, the application and accompanying attachments and the Staff Report were entered into the record without objection.

Counsel for Telera agreed to the conditions contained in the Staff Report.

No public witnesses appeared at the hearing.

NOW UPON CONSIDERATION of the application and the Staff Report, the Commission finds that Telera's application should be granted. Having considered § 56-481.1 of the Code of Virginia, the Commission also finds that Telera may price its interexchange telecommunications services competitively.

Accordingly, IT IS ORDERED THAT:

(1) Telera Communications of Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. TT-133A, to provide interexchange telecommunications services subject to the restrictions set forth in the IXC Rules, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(2) Telera Communications of Virginia, Inc., is hereby granted a certificate of public convenience and necessity, No. T-537, to provide local exchange telecommunications services subject to the restrictions set forth in the Local Rules, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(3) Pursuant to § 56-481.1 of the Code of Virginia, Telera may price its interexchange telecommunications services competitively.

(4) Telera shall provide tariffs to the Division of Communications that conform with all applicable Commission rules and regulations.

(5) Should Telera collect customer deposits, it shall establish and maintain an escrow account, held by an unaffiliated third party, for such funds and shall notify the Division of Economics and Finance of the escrow arrangement. Any escrow arrangement established pursuant to this Order shall be maintained for such time as the Staff or Commission determines is necessary.

(6) Telera shall provide audited financial statements of its ultimate parent, Telera, Inc., to the Division of Economics and Finance no later than one (1) year from the effective date of Telera's initial tariff.

(7) There being nothing further to come before the Commission, this case shall be dismissed and the papers herein placed in the file for ended causes.